

AMENDED IN SENATE JULY 2, 2008
AMENDED IN SENATE JUNE 19, 2008
AMENDED IN SENATE JUNE 4, 2008
AMENDED IN ASSEMBLY APRIL 8, 2008
AMENDED IN ASSEMBLY MARCH 11, 2008
CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1951

Introduced by Assembly Member Hayashi
(Coauthor: Assembly Member Dymally)
(Coauthor: Senator Steinberg)

February 13, 2008

An act to add Section 5701.7 to the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1951, as amended, Hayashi. Mental health: capital facilities.

Existing law, the Mental Health Services Act, an initiative measure enacted by the voters as Proposition 63, establishes the Mental Health Services Fund to fund various county mental health programs. Under existing law, the counties may use these funds only to provide for capital facilities or technological needs or to provide services to persons with severe mental illness, as defined. The act may be amended only by a $\frac{2}{3}$ vote of both houses of the Legislature and only so long as the amendment is consistent with and furthers the intent of the act. Provisions that clarify procedures and terms of the act may be added by majority vote.

This bill would specify that the acquisition or construction of privately owned facilities that are providing mental health services that are primarily funded through *public funds, including, but not limited to*, moneys in the Mental Health Services Fund is a proper use of the capital facilities funds made available to counties ~~and is a public purpose for purposes of the California Constitution~~. *It would encourage the counties to use, in the terms and conditions for the use of public funds, language that ensures that any real property acquired or new buildings constructed with these funds would be used for the public purpose of providing programs, services, or administrative supports consistent with the goals of the Mental Health Services Act and in conformity with the MHSA Capital Facilities guidelines.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5701.7 is added to the Welfare and
2 Institutions Code, to read:
3 5701.7. For purposes of this division, including Section 5892,
4 the acquisition or construction of privately owned facilities that
5 are providing mental health services that are primarily funded
6 through *public funds, including, but not limited to*, moneys in the
7 Mental Health Services Fund is a proper use of the capital facilities
8 funds made available to counties ~~and is a public purpose for~~
9 ~~purposes of Section 6 of Article XVI of the California Constitution.~~
10 *counties. The counties are encouraged to use, in the terms and*
11 *conditions for the use of public funds, language that ensures that*
12 *any real property acquired or new buildings constructed with these*
13 *funds shall be used for the public purpose of providing programs,*
14 *services, or administrative supports consistent with the goals of*
15 *the Mental Health Services Act and in conformity with the MHSA*
16 *Capital Facilities guidelines.*